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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,357	02/14/2002	Dwip N. Banerjee	AUS920010893US1	1515

7590 01/09/2007  
Mr. Volel Emile  
P.O. Box 202170  
Austin, TX 78720-2170

EXAMINER
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NGUYEN, VAN KIM T

ART UNIT	PAPER NUMBER
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2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/076,357	<b>Applicant(s)</b> BANERJEE ET AL.	
	<b>Examiner</b> Van Kim T. Nguyen	<b>Art Unit</b> 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on October 23, 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is responsive to communications filed on October 23, 2006.

Claims 1-20 are pending in the case.

### ***Response to Amendment***

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 6-8, 11-13, and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakashima (US 2001/0023456).

Regarding claims 1, 6, 11, and 16, as shown in Figures 1-10, Nakashima discloses a method of transacting network data, comprising:

determining whether data being processed data is network data (e.g., inherently only network data is being transmitted and received between multiple-processor information processing system 1 and router 3 through LAN 2; para 0029); and

transacting, if the data is network data, the data using a virtual IP address, the virtual address being an IP address given to a data holding device in the multiprocessor system (e.g., assignment of virtual IP addresses can be defined for the PM#1 to PM#4 on a processor module

by processor module basis, thus it is possible to determine the assignment of a virtual IP address to a processor module based on the type of a communication process; para 0058 - 0061).

Regarding claims 2, 7, 12, and 17, Nakashima also discloses the data holding device is a buffer (e.g., storage means 1e, storage device 10g, or shared memory 10h; para 0033, and 0049-0050).

Regarding claims 3, 8, 13, and 18, Nakashima also discloses the buffer (1e, 10g, 10h) is implemented using memory allocation (para 0033, and 0049-0050).

Regarding claims 4, 9, 14, and 19, Nakashima also discloses the buffer contends for access to one of the limited physical interfaces (e.g., the virtual IP addresses can be assigned to processes related to a specific protocol, making the processor module specialized on a protocol-by-protocol basis, thereby balancing the load across the PMs to avoid overload; para 0010-0011).

***Claim Rejections - 35 USC § 103***

5. Claims 5, 10, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashima, in view of Potter (US 6,505,269).

Nakashima discloses substantially all the claimed limitations, except before transmitting the data to the physical interface, the virtual IP address replaced by a destination IP address.

Potter discloses before transmitting the data to the physical interface, the virtual IP address replaced by a destination IP address (e.g., forwarding information based on destination IP address; col. 5: lines 49-65).

Since Nakashima and Potter teach analogous arts, relating to transferring network data using improved virtual-to-physical address translation techniques, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Potter's addressing scheme in Nakashima's system, motivated by the need to reduce performance bottleneck and thus, improve data transmission quality and rate.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

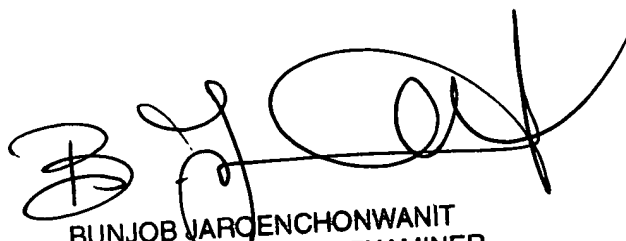
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaronenchonwanit, can be reached on 571-272-3197. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Van Kim T. Nguyen  
Examiner  
Art Unit 2151

vkn



BUNJOB JARCHONWANIT  
SUPERVISORY PATENT EXAMINER